

#### § 1002.74

payments to producers for milk delivered by such producers during the preceding month by not more than the amount of the reduction in payment from the producer-settlement fund.

[42 FR 11823, Mar. 1, 1977, as amended at 55 FR 3200, Jan. 31, 1990; 56 FR 5329, Feb. 11, 1991]

#### § 1002.74 Handler's pool debit or credit.

After computing the uniform price for each month, the market administrator shall compute each handler's pool debit or credit as follows:

(a) Add the contents computed as follows:

(1) Multiply the quantity of pool milk received by each handler from dairy farmers by the uniform price;

(2) Multiply the quantity of pool milk received by the handler at a pool plant or partial pool plant directly from farms that was not put into a tank truck prior to delivery by a rate per hundredweight that is equal to the rate specified in § 1002.55;

(3) Multiply the quantity of concentrated fluid milk products for which a payment obligation is computed pursuant to § 1002.60(d)(4) by the uniform price.

(b) If the result obtained in paragraph (a) of this section is less than the handler's net pool obligation, the difference shall be entered on the handler's producer settlement fund account as such handler's pool debit.

(c) If the result obtained in paragraph (a) of this section is greater than the handler's net pool obligation, the difference shall be entered on the handler's producer settlement fund account as such handler's pool credit.

[33 FR 8201, June 1, 1968, as amended at 42 FR 52381, Sept. 30, 1977. Redesignated at 56 FR 5329, Feb. 11, 1991, and amended at 58 FR 27780, May 11, 1993]

#### § 1002.75 Adjustments of errors in payments.

Whenever verification by the market administrator of reports or payments of any handler discloses errors made in payments to or from the producer settlement fund, the market administrator shall debit the handler's producer settlement fund account for any unpaid amount. Whenever verification

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discloses that payment is due from the market administrator to any handler, the market administrator shall credit the handler's producer settlement fund account for any such amount.

[33 FR 8201, June 1, 1968. Redesignated at 56 FR 5329, Feb. 11, 1991]

#### § 1002.76 Charges on overdue accounts.

Any unpaid obligation of a handler pursuant to §§ 1002.72 and 1002.85 shall be increased 1 percent on the first day after the due date of such obligation and on the same day of each succeeding month until such obligation is paid.

[42 FR 52381, Sept. 30, 1977. Redesignated and amended at 56 FR 5329, Feb. 11, 1991]

#### § 1002.77 Cooperative payments for marketwide services.

Payments shall be made to qualified cooperatives or to federations under the conditions, in the manner, and at the rates set forth in this section.

(a) *Definitions.* As used in this section the following terms shall have the following meanings:

(1) *Cooperative* means a cooperative association of producers which is duly incorporated under the cooperative corporation laws of a state; is qualified under the Capper-Volstead Act (7 U.S.C. 291 *et seq.*); has all its activities under the control of its members; and has full authority in the sale of its members' milk.

(2) *Federation* means a federation of cooperatives which is duly incorporated under the laws of a State.

(3) *Federated cooperatives* means a cooperative which is a member of a federation and on whose membership the federation is an applicant for or receives payments under paragraph (f)(2) of this section.

(4) *Affiliated cooperatives* means a cooperative upon whose entire membership another cooperative, by mutual consent, is an applicant for or receives payments under paragraph (f)(2) of this section.

(5) *Member producer* means, when used with respect to a cooperative or federation which is an applicant for or is receiving payments, is a producer as defined in § 1002.6 who has met the following conditions: